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# HOUSE BILL No. 1652

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-8-12; IC 6-8.1-1-1.

**Synopsis:** Excise tax on newsprint. Requires a publisher of a newspaper to pay an excise tax of \$25 for each metric ton of paper used to publish a newspaper in Indiana. Requires the department of environmental management to develop a grant program to assist newspaper publishers in upgrading their presses to facilitate the use of recycled paper. Provides a credit against the tax for the use of recycled paper.

**Effective:** July 1, 2005.

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January 19, 2005, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1652

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A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-8-12 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2005]:

4 **Chapter 12. Excise Tax on Newsprint**

5 **Sec. 1. As used in this chapter, "department" means the**  
6 **department of state revenue.**

7 **Sec. 2. As used in this chapter, "person" means an individual, a**  
8 **trust, an estate, a fiduciary, a partnership, a limited liability**  
9 **company, a limited liability partnership, a corporation, or any**  
10 **other legal entity.**

11 **Sec. 3. As used in this chapter, "recycled paper" means paper**  
12 **containing at least forty percent (40%) post-consumer recycled**  
13 **content.**

14 **Sec. 4. As used in this chapter, "taxpayer" means a person who**  
15 **is the publisher of a newspaper published in Indiana.**

16 **Sec. 5. An excise tax is imposed on the use of newsprint in a**  
17 **newspaper published in Indiana at a rate of twenty-five dollars**



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(S25) for each metric ton of paper used by a taxpayer.

Sec. 6. Each taxpayer liable for the tax imposed under section 5 of this chapter shall file a return for each calendar month and pay the excise tax imposed on the taxpayer's use of newsprint during that month. A taxpayer shall file the taxpayer's return for a particular month with the department and make the taxpayer's tax payment for that month to the department not later than fifteen (15) days after the end of that month.

Sec. 7. The department shall prescribe the form of the return required under section 6 of this chapter.

Sec. 8. The tax imposed under this chapter is a listed tax for purposes of IC 6-8.1.

Sec. 9. The department shall deposit the taxes paid each month by section 6 of this chapter in the recycled paper promotion fund established by section 10 of this chapter.

Sec. 10. (a) The recycled paper promotion fund is established. The fund must be used for the purposes of this chapter. The fund shall be administered by the department of environmental management.

(b) The fund consists of taxes deposited in the fund under section 9 of this chapter.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a fiscal year does not revert to the state general fund.

Sec. 11. (a) The department of environmental management shall develop a grant program using money deposited in the recycled paper promotion fund. The purpose of the grant program is to assist newspaper publishers who wish to upgrade their presses to facilitate the use of recycled paper.

(b) The department of environmental management shall establish:

(1) amounts for grants under this section; and

(2) criteria for awarding grants under this section.

(c) A person who wants a grant from the fund must file an application in the manner prescribed by the department of environmental management.

Sec. 12. (a) A taxpayer is entitled to a credit against the tax imposed under section 5 of this chapter equal to the product determined under STEP TWO of the following formula:

STEP ONE: Determine the total number of metric tons of

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1 recycled paper used by the taxpayer in the month.

2 **STEP TWO: Multiply the STEP ONE amount by twenty-five**  
 3 **dollars (\$25).**

4 **(b) A taxpayer shall claim the credit allowed under this section**  
 5 **on the monthly return required under section 6 of this chapter.**

6 SECTION 2. IC 6-8.1-1-1 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. "Listed taxes" or  
 8 "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through  
 9 IC 4-31-9-5); the riverboat admissions tax (IC 4-33-12); the riverboat  
 10 wagering tax (IC 4-33-13); the gross income tax (IC 6-2.1) (repealed);  
 11 the utility receipts tax (IC 6-2.3); the state gross retail and use taxes  
 12 (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net  
 13 income tax (IC 6-3-8) (repealed); the county adjusted gross income tax  
 14 (IC 6-3.5-1.1); the county option income tax (IC 6-3.5-6); the county  
 15 economic development income tax (IC 6-3.5-7); the municipal option  
 16 income tax (IC 6-3.5-8); the auto rental excise tax (IC 6-6-9); the  
 17 financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the  
 18 alternative fuel permit fee (IC 6-6-2.1); the special fuel tax  
 19 (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax  
 20 collected under a reciprocal agreement under IC 6-8.1-3; the motor  
 21 vehicle excise tax (IC 6-6-5); the commercial vehicle excise tax  
 22 (IC 6-6-5.5); the hazardous waste disposal tax (IC 6-6-6.6); the  
 23 cigarette tax (IC 6-7-1); the beer excise tax (IC 7.1-4-2); the liquor  
 24 excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider  
 25 excise tax (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the  
 26 petroleum severance tax (IC 6-8-1); **the excise tax on newsprint**  
 27 **(IC 6-8-12);** the various innkeeper's taxes (IC 6-9); the various county  
 28 food and beverage taxes (IC 6-9); the county admissions tax  
 29 (IC 6-9-13); and IC 6-9-28); the oil inspection fee (IC 16-44-2); the  
 30 emergency and hazardous chemical inventory form fee (IC 6-6-10); the  
 31 penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-30); the  
 32 fees and penalties assessed for overweight vehicles (IC 9-20-4 and  
 33 IC 9-30); the underground storage tank fee (IC 13-23); the solid waste  
 34 management fee (IC 13-20-22); and any other tax or fee that the  
 35 department is required to collect or administer.

36 SECTION 3. [EFFECTIVE JULY 1, 2005] **IC 6-8-12, as added by**  
 37 **this act, applies to paper used after June 30, 2005.**

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